

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SELAM SELAH

Plaintiff,

-v.-

Civil Action No.
9:09-cv-1363 (GLS/DEP)

BRIAN FISCHER, Commissioner; JUSTIN
TAYLOR, Superintendent; KAREN BELLAMY,
Director of DOCCS Inmate Grievance Program;
T. KILLIAN, Senior Chaplain; MARK
LEONARD, Director of Ministerial and
Family Services; ABUNA FOXE, DOCCS
Rastafarian Religious Advisor; CHERYL
MORRIS, Director of Ministerial Services;
FR. E. MANTZOURIS, Greek Orthodox
Christian Chaplain; and New York DOCCS,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

SELAM SELAH, *Pro Se*
08-B-2266
Clinton Correctional Facility
P.O. Box 2002
Dannemora, NY 12929

FOR DEFENDANTS:

HON. ERIC SCHNEIDERMAN
Office of the Attorney General
State of New York
Department of Law
The Capitol
Albany, New York 12224

MEGAN M. BROWN, ESQ.
Assistant Attorney General

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Dave E. Peebles, duly filed July 3, 2012. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge David E. Peebles filed July 3, 2012 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED that defendants' motion to dismiss plaintiff's complaint (Dkt. No. 111) is GRANTED, in part, and that his claims against the DOCCS be DISMISSED, but that the motion is DENIED in all other respects ; and it is further

ORDERED, that the Clerk of the Court is to serve a copy of this order upon the parties in accordance with the court's local rules.

IT IS SO ORDERED

Dated: July 27, 2012
Albany, New York


Gary L. Sharpe
Chief Judge
U.S. District Court